

REMARKS

The Examiner's Office Action of September 16, 2005 has been received and its contents reviewed. Applicants would like to thank the Examiner for the consideration given to the above-identified application, and for his suggestion to amend claims 10 and 14.

Claims 1-62 were pending prior to the instant amendment. By this amendment, claims 10 and 14 have been amended, claims 16-33 and 47-62 have been withdrawn from consideration, and new claims 63-79 have been added.

Initially, claim 1 is deemed as generic in the Office Action mailed March 8, 2005. The Office Action of September 16, 2005 addressed only the elected Species I directed to claims 7-15 and 34-46 but does not address generic claim 1. Accordingly, Applicants respectfully submit that the Office Action is incomplete. The Examiner has acknowledged and agreed with Applicants' representative in a telephone conference on December 15, 2005 that the Office Action is complete and claim 1 should have been examined. However, in the interest of expediting the prosecution of this case, Applicants respectfully respond to the rejection detailed in Office Action as follows.

Referring now to the detailed Office Action, claims 10 and 14 stand objected to as containing informalities. Particularly, the Examiner asserted that "the second film" should be "the silicon nitride film". In response, Applicants have amended the claims, as shown above, in accordance to the Examiner's suggestion.

Claims 7-15 and 34-46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yamazaki et al. (U.S. Patent No. 6,781,162 – hereafter Yamazaki) in combination with Kihira et al. (U.S. Patent No. 6,631,022 – hereafter Kihira). This sole §103(a) rejection is respectfully traversed at least for the reasons provided below.

In the rejection, the Examiner contended that Yamazaki teaches a film formation method comprising the steps of: forming a first film (target silicon nitride) in a chamber 113; installing a substrate into the chamber after forming the first film; and forming a silicon nitride protective film is formed over a surface of the substrate by using the first film and a second gas of argon. Also, the Examiner contended that Kihira teaches forming a silicon nitride using monosilane or disilane gas and nitrogen. However, if the Examiner's assertion is followed and the film forming chamber 113 of Yamazaki is assumed to correspond to Applicants' claimed chamber and the protective film 204 of Yamazaki is assumed to

correspond to Applicants' silicon nitride film (i.e., a second film), then Yamazaki fails to teach that the first film is formed in the chamber by using the first gas.

Further, if the Examiner's assertion is followed and the DLC film 203 of Yamazaki is assumed to correspond to Applicants' claimed first film, the film formation chambers 112 and 113 of Yamazaki are assumed to correspond to Applicants' claimed chamber, and the protective film 204 of Yamazaki is assumed to correspond to Applicants' claimed second film, then Yamazaki fails to teach the step of installing a substrate into the chamber after forming the first film.

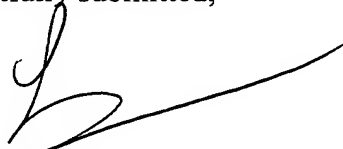
As clearly recited in, e.g., claim 7, the claimed method includes the steps of forming a first film in a chamber by using a first gas, installing a substrate into the chamber after forming the first film; and forming a second film over a surface of the substrate by using the first film and a second gas. That is, the first film and the second film are formed in the same chamber, the second film is formed using the first film, and the substrate is installed into the chamber after forming the first film. Applicants respectfully assert that Yamazaki and Kihira fail to teach at least the step of installing a substrate into the chamber after forming the first film.

The requirements for establishing a *prima facie* case of obviousness, as detailed in MPEP § 2143 - 2143.03 (pages 2100-122 - 2100-136), are: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference to combine the teachings; second, there must be a reasonable expectation of success; and, finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. As Yamazaki and Kihira are deficient as discussed above, Applicants' claimed invention cannot be obtained even when these references are combined, and a *prima facie* case of obviousness has not been established.

New claims 63-79 have been added to further complete the scope of the invention to which Applicants are entitled. Claims 63 and 72 recite a first film that is formed on internal portions of a chamber. Support for this feature can be found at least in, e.g., Fig. 1A and reference numeral 124a shown therein.

In view of the amendments and arguments set forth above, it is respectfully requested that the rejections of record be reconsidered and withdrawn by the Examiner, that claims 1-15 and 34-46 be allowed, that new claims 63-79 be allowed and that the application be passed to issue. If a conference would expedite prosecution of the instant application, the Examiner is hereby invited to telephone the undersigned to arrange such a conference.

Respectfully submitted,



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